

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREW MICHAEL THOMAS,

CASE NO. C11-1418 MJP

Plaintiff,

ORDER DENYING RECONSIDERATION

V.

EVELYN THOMAS, et. al.,

Defendants.

This matter comes before the Court on Plaintiff's motion for reconsideration (Dkt. No.

34.) Having reviewed the motion, the Court DENIES Plaintiff's request for reconsideration.

Background

Vrlina Nozlic (“Nozlic”) filed this Complaint on behalf of her brother Andrew Michael Thomas (“Thomas”) in August 2011. As alleged, Thomas is a homeless individual who has been discriminated against by Defendants, who include Department of Social and Health Services (“DSHS”) employees, King County mental health workers, Harborview social workers, King County public defenders, and several non-profit directors. Thomas is suing for Section 8 Housing, reinstatement of his disability status, restoration of his medical benefits, and \$500,000

1 in emotional and financial damages. Plaintiff's Complaint was signed by Nozlic in her capacity
2 as "POA pro se / Rep Payee / ADA advocate." (Compl. at 8.) Nozlic is not an attorney and
3 resides in Littleton, Colorado. (Dkt. No. 1 at 4.)

4 **Analysis**

5 On February 27, 2012, the Court ordered "Nozlic to either file a statement indicating she
6 has retained an attorney to represent Thomas or Thomas must file a statement indicating that he
7 will represent himself in this matter." (Dkt. No. 33 at 3.) The Court warned the action would be
8 closed in the absence of a statement by either Nozlic or Thomas. (Id.)

9 Plaintiff's motion for reconsideration is, therefore, in response to the Court's order for
10 Thomas to retain counsel. Nozlic requests reconsideration because (1) Thomas's disabilities
11 preclude him from representing himself and Nozlic has represented Thomas in the past, and (2)
12 Thomas cannot hire an attorney because it is cost prohibitive.

13 Unfortunately, neither argument allows this action to proceed without an attorney. As the
14 Court stated earlier, a non-attorney cannot represent another person in federal court. Johns v.
15 County of San Diego, 114 F.3d 874, 876 (9th Cir. 1997). While Nozlic may have successfully
16 represented Thomas in social security hearings and other administrative hearings, Nozlic is not
17 permitted to represent Thomas in federal court.

18 The Court nevertheless recognizes the significant costs in retaining an attorney. While
19 the Court declines to appoint pro bono counsel in this civil action, the Court directs Plaintiff to
20 the Federal Bar Association's Federal Civil Rights Legal Clinic. Volunteer attorneys at the
21 Legal Clinic may refer Plaintiff to other community resources. To schedule an appointment,
22 Plaintiff should call (206) 819-5084.

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Conclusion

The Court DENIES Plaintiff's motion for reconsideration and DISMISSES this action without prejudice. The clerk is ordered to provide copies of this order to all counsel.

Dated this 7th day of May, 2012.


Marsha J. Pechman
United States District Judge